

Claims 1-28

5. The examiner cites Curkendall (column 16, lines 5-32; column 11, lines 15-20; column 12, lines 25-26) as teaching “providing a seller with guidelines for processing an animal prior to an auction, said seller processing said animal according to said guidelines, said guidelines including at least one required vaccination, at least one required medication, at least one required treatment, at least one required health record, and required electronic identification for the animal”. The cited sections do not teach providing a seller with guidelines for processing an animal prior to an auction:

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**EXAMPLE****A Paper-Based Embodiment**

FIG. 1 illustrates a paper-based embodiment of the BeefLink data collection software. In this case, animal identification would be obtained from a visual tag, such as an ear tag, and that visual identification would be written on a paper log 14. All event data and measurement data would be recorded on the log sheet and then entered by keyboard into the BeefLink software running on the host computer 10. The modem 12 in this embodiment permits the host computer to establish data transfer capability with other computer, and the removable disk 13 provides a data backup capability.

Although the data entry would be cumbersome for large numbers of animals, this paper system may be more affordable for smaller producers.

The producer may elect to install only visual identification or to install a tag that is both visual and RFID.

If an RFID transponder was attached to an animal, the producer would be responsible for manually entering the code to the computer, so that the code would be correlated to the visual tag identification.

Alternately, it is possible to operate the BeefLink software on the basis of the visual identification, or preferably a longer, unique identification key assigned to the animal. In that event, an RFID device may be attached downstream, and the new RFID code would be assigned to the animal.

1 Abort

2 Assess Animal

15

3 Assess Animal-Health

4 Assess Animal-Sick

5 Assign Value

6 Birth

20

25    **66 Treat**  
       **67 Vaccinate**

6. The examiner cites Curkendall (column 6, line 65- column 7, line 9, Work Card) as teaching “providing the seller with a data card for animal, prior to the auction, said seller completing the data card for each animal, said data card including a unique animal code corresponding to the unique animal code contained in the electronic identification unit for the animal and further including fields for the seller to provide animal data including information on the animal’s physical characteristics, administrative information on the animal, and information on medications, vaccinations and treatments given to the animal”. The cited section does not teach providing a seller with a data card prior to an auction:

Typical events performed on the animal may also be captured without keyboard entry by means of a Work Card

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31 which is a collection of common tasks or events that are assigned unique RFID transponder codes, indicated as transponders 42, 43 and 44, such that the reader can designate an event by reading the transponder associated with an event. This reading is accomplished by placing the reader near the transponder. Alternately, the event transponders can be placed separately at convenient locations in the work area. The event transponders will typically be labeled with text or symbols to identify the event.

7. The examiner cites Curkendall (column 10, lines 40-65) as teaching “obtaining completed data card from the seller”. The cited section does not teach obtaining completed data card for an auction:

40 In order to speed data entry, Action Tags are used to enter most events. Rather than typing in events at the computer keyboard, events are assigned to the Action Tags ahead of time so that the tags are simply scanned with the same reader used to scan animals in order to enter events or update fields  
 45 in an animal's record. For instance, if cows are being checked for pregnancy, An Action Tag will be assigned beforehand for both the "pregnant" and "open" result so that the user can scan the cow and the appropriate pregnancy Action Tag when the result is known. Another example is  
 50 that certain animals being processed are vaccinated for shipping fever. An Action Tag is assigned to the shipping fever vaccination event so that when animals get the vaccine, the user can scan the animal and the shipping fever Action Tag in order to record the event.  
 55 The Action Tags are typically affixed to a Work Card alongside their corresponding event labels. The Work Card can be placed in strategic locations such as on the side of a working chute or with the vaccine or treatment bottle to which they are assigned.  
 60 Most common events will identified with Action Tags when the user receives the system. The user may, however, add to or change existing events through the Event Setup form in the Setup section of the Data Collection screen.  
 Each event has one or more default details associated with  
 65 it. For instance, the event "LOCATION" might have three

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8. The examiner cites Curkendall (column 13, lines 7-17) as teaching "receiving animal into auction barn facility ". The cited section does not teach receiving an animal into an auction facility:

For example, a stockman operation is receiving 50 new calves from a ranch, and the stockman needs to record the origin of each animal, the vaccines given each animal, the identity of the group, and the location where the animals will  
 10 be going. As each event and detail is selected, it is added to the Default Event Form by clicking on the "Add" button. With the default feature turned on, each animal scanned will have it's Origin recorded as "SMITH RANCH", receive a vaccine event called "SHIPPING FEVER", be placed in a  
 15 group called "NEW", and have the location "NORTH PASTURE" saved to its record.

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9. The examiner cites Curkendall (column 16, lines 43-45) as teaching “providing seller with a receipt for said animal”. The cited section does not teach an auction facility providing a receipt for an animal; the section refers to a speaker 11 on a RFID reader confirming receipt of RFID data by host computer 10:

#### EXAMPLE

##### 35 A Direct Reader Embodiment

FIG. 3 illustrates a simple embodiment of the BeefLink data collection software with an RFID reader 30, which was linked by cable 33 to a host computer 10. In this case, animal identification would be obtained from an RFID transponder 32, and Work Cards 31 where RFID event transponders are used to record events.

40 The speaker 11 provides a feedback means to confirm the receipt of animal and event data by the computer.

45 The modem 12 in this embodiment permits the host

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10. The examiner cites Curkendall (column 12, lines 48-62) as teaching “assigning unique group code to animal by sorting animal into group with other animals having at least one common characteristic, by means of a unique group code” The cited section does not teach sorting an animal at an auction facility; the section relates to assigning groups for the collection of data:

The most efficient way to record repetitive events that occur to multiple animals is to assign animals to logical groups and to record the events to all animals in the group.

For example, if all animals in group 1 (GRP-1) are moved from Pen 50 to Pen 65 without processing the animals through a chute, the user may click on the “Assign Group Events” button at the Data Collection Center to open the Group Event entry and then click on the Group drop-down menu and select “GRP-1”. The user would then click on the Event drop-down menu and select “Location” and then click on the Detail drop-down or key in “Pen-65”. The user would then click the “Add” button at the bottom of the form and the event will display in the grid in the middle of the form. The user may click the “Update Record” button to add the event to all animals in GRP-1.

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11. The examiner cites Curkendall (column 14, lines 17-23) as teaching “recording animal’s unique animal code into second electronic database on host computer

running a second software application” The cited section does not teach this element of the claims:

When a new animal is scanned, the system cannot recognize the RFID transponder scanned so the user is signaled to re-scan the animal to verify that it was read. Upon  
 20 receiving the verified scan, the system enters the new animal into the database. The new animal has only one piece of data so far—its RFID transponder number. Other data is entered in the normal method, either individually or as defaults.

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11. The examiner cites Curkendall (column 12, lines 48-62) as teaching “recording animal’s unique group code corresponding to the animal’s unique animal code into second electronic database on host computer running a second software application” The cited section does not teach this element of the claims:

The most efficient way to record repetitive events that occur to multiple animals is to assign animals to logical  
 50 groups and to record the events to all animals in the group.  
 For example, if all animals in group 1 (GRP-1) are moved from Pen 50 to Pen 65 without processing the animals through a chute, the user may click on the “Assign Group Events” button at the Data Collection Center to open the  
 55 Group Event entry and then click on the Group drop-down menu and select “GRP-1”. The user would then click on the Event drop-down menu and select “Location” and then click on the Detail drop-down or key in “Pen-65”. The user would then click the “Add” button at the bottom of the form and the  
 60 event will display in the grid in the middle of the form. The user may click the “Update Record” button to add the event to all animals in GRP-1.

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12. The examiner notes that Morrison does not disclose “providing the seller with a sales certification form prior to the auction, said seller completing the sales certification form for each animal, said sales certification form having fields for the seller to provide background information, identifying information on the animal, information on vaccinations given to the animal, and seller’s signature, said seller thereby certifying that the animal was processed according to vaccination processing guidelines”; and cites Cobb for providing the seller with a sales certification form

prior to an auction. Cobb teaches a breed registration form for dogs, where the seller signs the registration form. However this registration form is limited to information about the genealogy of the dog; the date of birth of the dog; a name of the dog; an optional microchip number for the dog; and the identity of the seller and buyer. No information is provided about the health of the dog, such as vaccination history. No information is provided about the background conditioning of the dog prior to sale. There is no suggestion in Cobb that the animal has been processed according to specified auction guidelines before the sale. Cobb does not teach livestock auctions. The seller is not signing the registration form to certify that pre-sale processing guidelines have been followed. Data is not provided to support required pre-sale processing guidelines. Cobb's registration form is not a certification form as described in the current application. This certification is important, because, unlike dogs, the cattle are food animals which will be further processed by the buyers (and subsequent buyers) and will eventually be consumed. The certification process helps ensure animal health, helps to avoid unnecessary treatments such as excess antibiotics, and provides information that may be used in subsequent investigation or analysis. Cobb's registration form presumably supports a higher value for a dog because of proof of its genealogy or breed. One skilled in the art could presumably extend Cobb's teachings to perform a similar breed registration or proof of genealogy in cattle. However, proof of breed is not the essence of the current invention. In the current invention, the improved value to the seller and buyer is due to the certification (and supporting data) that pre-sale processing guidelines have been followed. The current invention's combination of auction sale, pre-certification guidelines, individual animal identification, certification form, pre-certification data collection, and electronic databases is not obvious in view of the prior art cited by the examiner.

#### Claims 29-43

13. The examiner cites Curkendall (column 16, lines 5-32; column 11, lines 15-20; column 12, lines 25-26) as teaching

providing said seller with a plurality of required guidelines for processing at least one animal prior to said auction, said required guidelines comprising: at least one required vaccination, at least one required treatment to said animal, at least one required health record, and a required weaning date for said at least one animal that is a least forty five days prior to said auction;

The cited sections do not teach providing a seller with guidelines for processing an animal prior to an auction:

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#### EXAMPLE

##### A Paper-Based Embodiment

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Alternately, it is possible to operate the BeefLink software on the basis of the visual identification, or preferably a longer, unique identification key assigned to the animal. In that event, an RFID device may be attached downstream, and the new RFID code would be assigned to the animal.

1 Abort

2 Assess Animal

15

3 Assess Animal-Health

4 Assess Animal-Sick

5 Assign Value

6 Birth

20

25 66 Treat

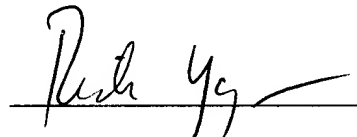
67 Vaccinate

14. The examiner cites Cobb as teaching certification. As discussed above, Cobb teaches dog registration, and is not relate to cattle auctions.
15. The current application represents a non-obvious extension of livestock data collection and individual animal identification to specifically support the auction sale of "pre-certified" cattle. In the current application, this "certification" that cattle have been processed according to specified pre-conditioning guidelines is supported in two ways. First, the seller signs a certification form that the guidelines have been followed. Second, the actual data, such as dates of vaccinations, is provided in a manner that can be transferred to an electronic database in a manner that the data can be accessed from the animal identification code.
16. Applicant urges that all claims are in condition for allowance.

Thank you for your continued assistance in this application.

Dated: October 27, 2004

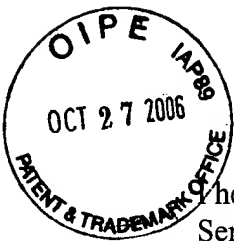
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick Yeager", is written over a horizontal line.

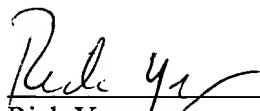
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Rick Yeager